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Town of Uxbridge
Conservation Commission
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Conservation Commission Minutes
Monday, August 4, 2014
Board of Selectmen Meeting Room, Uxbridge Town Hall

ORIGINAL

Please note some items may have been taken out of agenda order.

Present: Chair Russell Holden, Treasurer Jim Hogan, Members Michael Healy, Mike Potaski and Tracy Tibedo, and Administrator Kristin Black.

Absent: Clerk Jeffrey Shaw.

It being 6:30 pm, the meeting being properly posted, duly called and a quorum being present, the meeting was called to order by the Chair.

PUBLIC HEARINGS

1. NOTICE OF INTENT filed by Tata & Howard, Inc. on behalf of the Town of Uxbridge DPW for a project located on Hecla St. in the vicinity of the West River Bridge. The general project description is the installation of ~230 linear feet of 8" water main via directional drilling along Hecla Street beneath the West River and approximately 725 linear feet of 8" water main along Hecla St. between Old Elmdale Rd. and Browns Terrace. The proposed work occurs within Riverfront area and buffer zones of Bordering Vegetated Wetlands (BVW).
 - o Discussion: Steve Daunais from Tata & Howard, on behalf of the Applicant, spoke to the project, described the dashed/dotted colored lines and staging area on the plan, refilling and repaving of the pits that will be dug, proposed timeframe of approximately 13 days, and pits will be plated each evening for traffic use. The Chair stated that the MA-DEP number is 312-978, and thanked Mr. Daunais for the pre-presentation of this project by his colleague at the previous Conservation meeting.
 - o MOTION: I, Mr. Healy, move that the Public Hearing be closed for Notice of Intent 312-978. Seconded by Mr. Hogan, the motion passed unanimously.
 - o MOTION: I, Mr. Tibedo, move that the Commission issue a Standard Order of Conditions for the Notice of Intent 312-978. Seconded by Mr. Healy, the motion passed unanimously.

2. NOTICE OF INTENT filed by Tata & Howard, Inc. on behalf of the Town of Uxbridge DPW for a project located along Route 122 from 418 Millville Rd. to the Northbridge town line. The general project description is the construction of ~17,500 linear feet of 12" diameter water main along Route 122. The proposed work occurs within Riverfront area and buffer zones of BVW.
 - o Discussion: The Chair stated that this project does not have a MA-DEP number yet and read the project description. Steve Daunais from Tata & Howard, on behalf of the Applicant, spoke to the project, that the existing main will be removed and replaced with new main in the existing trench, described what is shown on the plan, entire project is in the roadway, limit of work line on southern end of project, timeline for bidding (Fall 2014) and Spring (April 2015) for paving (when the State allows), and workaround for Drabble Tail Brook, Rivulet River and Mumford River. The Chair stated that it's not prudent to close this Public Hearing without a MA-DEP file number for this project, and requested a narrative/check-in once the culvert for Drabble Tail Brook is known. Mr. Daunais will email a detailed drawing of the work near Drabble Tail Brook. Mr. Hogan confirmed that he has all abutter cards.
 - o MOTION: I, Mr. Tibedo, move that the Public Hearing for the Notice of Intent for a project located along Route 122 from 418 Millville Road to the Northbridge town line be continued to the next regularly scheduled meeting on August 18, 2014. Seconded by Mr. Hogan, the motion passed unanimously.

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3. ABBREVIATED NOTICE OF RESOURCE AREA DELINEATION filed by Andrews Survey & Engineering, Inc. on behalf of the FIKOW, LLC for a project located at 230 & 255 Chocolog Rd. (Assessor's Map 39 & 44, Parcel 4254 & 345). The general project description is the verification of delineated BVW and Bank.
 - o Discussion: Mrs. Black shared that Steve O'Connell of Andrews Survey & Engineering, representative for the Applicant, was unable to make the meeting. The Commission had two proposals to review for the contracted wetland delineation work: from LEC of Worcester and Scott Goddard of Goddard Consulting out of Northborough, and each confirms no conflict of interest. Mrs. Black stated that the consultant will review the plans, walk the site to confirm existing flags, also review the site for any unconfirmed wetlands, issue a report, and attend one Conservation meeting to present the results. After selection is made, a letter to Andrews will be sent with the cost. The project does not have a MA-DEP file number yet. Mr. Healy expressed concern that the Commission discusses the proposals, if the ANRAD will meet the needs of the Planning Board, if the Town should pay for a full wetland delineation, what resource areas are, will buffers be shown, and will riverfront be shown. Discussion continued that ANRAD is only delineating the street edge of the BVW on the smaller parcel, all other BVWs on the site are marked, and where offsite resources are on the property which would require permission from abutter to have it delineated. Mrs. Black suggested that the Commission move forward with review of the proposals and make award the project, then as a side issue, take the inclusion of lower brook bank flagging to be part of the ANRAD. After the failed motion, discussion continued on choice of consultant: Goddard is slightly less expensive with fixed cost, includes cost for additional services, LEC is estimated and higher cost, Goddard requested to be designated as a Special Municipal Employee (SME).
 - o MOTION: I, Mr. Tibedo, move that the Commission ask Andrews Survey & Engineering to include the bank on the lower brook adjacent to the site be delineated as part of the ANRAD. Seconded by Mr. Healy, the motion failed 2-1-1 (AYE Mr. Tibedo and Mr. Healy; NAY Mr. Hogan; The Chair abstained).
 - o MOTION: I, Mr. Tibedo, move that the Commission accept Goddard Consulting for the Peer Review for the ANRAD for the Chocolog Road site development. Seconded by Mr. Hogan, the motion passed unanimously.

ACTIVE WETLAND CASES

The Chair stated that all six ACTIVE WETLAND CASES on the agenda were addressed at the previous meeting. There was a miscommunication with the office, and wanted to make sure that these were covered in case they weren't closed out yet. The Public Hearings as well as the Notice of Intent has been issued for each of these projects listed, with the exception of #6.

MOTION: I, Mr. Hogan, move that the Public Hearing for Notice of Intent for 79 River Road be continued to the next regularly scheduled meeting. Seconded by Mr. Tibedo, the motion passed unanimously.

1. NOTICE OF INTENT (NOI) 312-972, Hartford Ave (near 104 Hartford Avenue East)
Applicant: Town of Uxbridge
Representative: Beta Group, Inc.
Project Description: Replacement of an enclosed culvert/sluiceway that crosses Harford Avenue East and additional activities including dredging a portion of the downstream canal and roadway/sidewalk repairs within wetland Resource Areas and buffer zones.
2. NOTICE OF INTENT (NOI) 312-974, Off River Road, Uxbridge (Map 45, Parcel 1487)
Applicant: Algonquin Gas Transmission, LLC
Representative: TRC Environmental
Project Description: Installation of a ground bed (anodes and cables) to provide additional cathodic protection required along a portion of the existing, natural gas mainline pipeline. The project will result in 4,268 sq. ft. of temporary wetland alteration and 15-linear feet of temporary disturbance to inland bank associated with an intermittent stream.
3. REQUEST FOR A CERTIFICATE OF COMPLIANCE, 312-478, 340 Richardson St (Map 34, Parcel 2388)
Applicant: Kent Andrews
Representative: Andrews Survey & Engineering
Project description: Construction of house, septic system, well and related grading within the 100' buffer to a BVW.
4. NOTICE OF INTENT (NOI), 312-976, 320 East St. – Lot 1 (Map 36, Parcel 3895)
Applicant: Omega Financial Services, Inc.

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Representative: Andrews Survey & Engineering

Project Description: Construction of a single family home, septic system, and associated site work within the 100' buffer zone of bordering vegetated wetlands (BVW).

5. NOTICE OF INTENT (NOI), 312-977, 320 East St. - Lot 2 (Map 36, Parcel 3895)
Applicant: Omega Financial Services, Inc.
Representative: Andrews Survey & Engineering
Project Description: Construction of a single family home, septic system, and associated site work within the 100' buffer zone of BVW.
6. NOTICE OF INTENT (NOI), 312-9xx, 79 River Rd (Map 45, Parcel 1345), cont'd awaiting comments from MA-DEP
Applicant: Bedrock Crossing LLC
Representative: Andrews Survey & Engineering
Project description: Fill ILSF, grade and create gravel lot.

WETLAND UPDATES/ISSUES

Mrs. Black stated that the one WETLAND UPDATES/ISSUES on the agenda is an old issue that was also addressed at the previous meeting.

1. Informal request to Amend Order of Conditions for 312-733, Lot 7 Glen Street

PROCESSING

- Site Visit Update
 - 140 Sutton Street: The Chair did this site visit, commented that the swale was long enough, but wanted to confirm that it was in the correct spot. Previous site visit had been done by Mr. Hogan and Mrs. Black. The Chair confirmed it is according to plan, with the exception that underlying material hasn't been covered at the top of the driveway. The Chair also commented on new plantings. Mrs. Black stated she would share those findings with the Planning Board.
 - BJ Property: The Commission members agreed to do a site visit on Saturday, August 9, 2014 at 9 am.
 - 100 Acre Lot: The Commission discussed walking this property, and will do if time allows on Saturday, August 9, 2014.
 - 87 Chapin Street: The Chair shared the plan from 1993, pointing out proposed houses, wetlands, and shared pictures from his site visit that day. The Chair met the land owner's neighboring brother, and mentioned potential need for after-the-fact NOI as its unclear if pond existed previously but clearly is crossed by a path now, allowing access to upland part of the property. The homeowner is looking to refinance. Certificate of Compliance for MA-DEP 312-266 was not issued. The Chair suggested two options: request a new NOI or issue the Certificate of Compliance and issue a Violation. The Chair wants a calendar and timeline when the three-year permit time has expired by Applicant, and when they should apply for the Certificate of Compliance, triggering a Commission site visit to continue the work or close it out.
 - MOTION: I, Mr. Tibedo, move that the Commission issue a Certificate of Compliance for 87 Chapin Street. Seconded by Mr. Healy, the motion passed unanimously.
 - MOTION: I, Mr. Tibedo, move that the Commission issue a letter of potential violation for 87 Chapin Street. Seconded by Mr. Healy, the motion passed unanimously.
- Meeting Minutes
 - Mrs. Black had one set of meeting minutes from Mr. Shaw that could be signed. The other set had an error. The meeting date was not mentioned, nor was a motion made to endorse. It was decided that this was a copy for review only, to be amended and endorsed at a later date.

ANY OTHER BUSINESS WHICH MAY LAWFULLY COME BEFORE THE CONSERVATION COMMISSION

- Pout Pond Recreation Committee
 - Mrs. Black shared that Rachel Frazier on behalf of the Pout Pond Recreation Committee has interest in having a work camper on the property. The Town Manager will interview the applicants for the short-time position to see if it would work for the season next year. Ms. Frazier was contacted in regard to Uniquely Uxbridge Day, by the Uniquely Uxbridge Day Celebration Committee, namely Jen Lutton, to have Pout Pond

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that the Pout Pond Recreation Committee should be doing the permitting for activities, and copying the Commission on all applications.

- The Chair shared the proposed rules for Pout Pond to be posted. The Commission suggested amendments to the proposed rules which the Chair made. Mrs. Black offered to update the Pout Pond website with these rules and a link to the Pout Pond Facebook page.
 - **MOTION: I, Mr. Tibedo, move that the Commission approve the current Pout Pond beach rules, as amended. Seconded by Mr. Hogan, the motion passed unanimously.**
- Abutter Notification
 - The Chair brought up the lack of detail provided on the current Abutter Notification form. Mrs. Black stated that typically there is a project description taken from the application and/or the Public Hearing notice, but the one done by Tara & Howard for the Route 122 main project did not include project information and had her contact information. Mrs. Black will ask Donna in the Assessor's office to initial addresses on certified abutter lists not to mail to, rather than crossing them out.
- Two New Upcoming Projects
 - 49 Easy Street: Mrs. Black shared information about this project with the Commission, and noted that it is worthy of a site visit given the proximity to the wetlands in advance of being on the agenda. The Commission will do a site visit on Thursday, August 14, 2014 at 6pm.
 - Dutch Hill Road: Mrs. Black met with Maryanne DiPinto, who had met with Brian VanderZicht. The parcel has a history of violations, and shared current project information. The assumed goal is to attend the September 2, 2014 meeting.
- BOH Complaint: Mrs. Black shared that the BOH has received complaints for 836 Aldrich Street regarding noise and odor. BOH is handling it now, but it is near restricted wetlands property so Conservation may need to get involved.
- Site Visit Clipboard: Mrs. Black explained it and the purpose of its potential use in her absence. She also reiterated the need to call ahead of a site visit. It's not required for a valid active order for a visit during normal business hours.

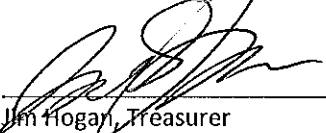
At approximately 8:40pm, MOTION by Mr. Tibedo to adjourn the meeting. Seconded by Mr. Hogan, the motion carried unanimously.

Respectfully submitted,
Beth A Pitman
Planning/Zoning/Conservation Assistant

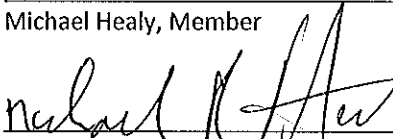


Russell Holden, Chairman

Michael Healy, Member



Jim Hogan, Treasurer



Michael Potaski, Member

absent

Jeffrey Shaw, Clerk



Tracy Tibedo, Member

2 September 14

Date